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Agenda items 130, 131 and 132

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee

Rapporteur: Mr. Santiago **Wins** (Uruguay)

I. Introduction

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda items 130, 131 and 132 appear in the reports of the Committee contained in documents A/56/739, A/56/730 and Corr.1 and Add.1 and A/56/731 and Add.1.

2. The Fifth Committee resumed its consideration of the items at its 47th and 53rd meetings, on 11 and 19 March 2002. Statements and observations made in the course of the Committee's consideration of the items are reflected in the relevant summary records (A/C.5/56/SR.47 and 53).

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3. For its further consideration of the items, the Committee had before it a note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the follow-up investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/56/836).

II. Consideration of draft resolution A/C.5/56/L.44

4. At the 53rd meeting, on 19 March, the representative of Norway and coordinator of the informal consultations on these items introduced, on behalf of the Chairman, a draft resolution entitled "Follow-up investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia" (A/C.5/56/L.44), and orally revised operative paragraph 3 by replacing the words "Office of Internal Oversight Services" by the words "Secretary-General".

5. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.44, as orally revised, without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Follow-up investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

The General Assembly,

Recalling its resolution 55/250 of 12 April 2001,

1. *Takes note* of the report of the Office of Internal Oversight Services on the follow-up investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia;[1]

2. *Expresses concern* at the findings set out in the report of the Office of Internal Oversight Services, and requests the Secretary-General to ensure the full and expeditious implementation of the recommendations contained in the report;[1]

3. *Requests* the Secretary-General to further follow up on the investigation expeditiously, with a view to ensuring that errant officials are held accountable.

[1] A/56/836.